

The regular meeting of the Town Assembly of the Village of Arden was held on January 23, 1984, Chairman William Press presiding.

Present:

Cy Liberman	Pat Liberman	Bob Raynolds
Jean Brachman	Susan W. Rohrbach	Barbara Fenske
Helen Macklem	Patricia Press	Aaron Hamburger
Beatrice Jaffe	William Press	Cecelia Vore
Virginia Shaw	Joan W. Colgan	Carl Falco
Frances K. Trench	Lanier Colgan	Patricia Jordan
Elizabeth Varley Walker	Don Holcomb	Gene Shaw
Robert Jones	Woodrow Vandever	John Grimaldi
Sarah S. Hamburger	Harold Monfort	Paul Thompson
Rae Gerstine	Ethel G. Monfort	David Warner
Lee Starr	Alton Dahl	Frank Akutowicz
Gail W. Rinehart	T.E. Colgan	Larry Walker
Bernie Brachman	S. Raynolds	Leon Tanzer
Ken Nicholls (NV)	Edward H. Rohrbach	

The minutes of the September meeting were distributed and approved. We are initiating the practice of distributing a written agenda at this meeting.

Communications. The Federal Revenue Sharing Program has been continued for the next two years. We will be receiving approximately the same amount, \$2,000, as we have in previous years.

COMMITTEE REPORTS

Trustees - Cy Liberman

The Trustees would like to remind Arden leaseholders of a clause in the lease reading "the lessee agrees not to hunt on any of the lands of Arden, or cut timber without written leave from the Trustees, or fence in woodland, or keep the land in such disorder or use it in such manner as shall be injurious to the rights of others..."

If you have a tree you think needs to be removed for any good reason, please get permission from the Trustees. Written permission is issued in the form of a letter so that there can be no doubt whether a leaseholder has permission to remove a specific tree.

Hunting in the woods has not been much of a problem. However, a recent patrol by the Town Watch sighted a young person entering the woods with a rifle. Shooting in Arden of course would be a violation not only of the lease but also of an Arden ordinance.

The phrase about keeping the land in disorder or using it in a manner injurious to the rights of others points to another obligation of Arden residents which some people from time to time think their neighbors are failing to live up to. On receiving complaints on this subject the Trustees do contact leaseholders.

As you know, the new land rent bills have been mailed out. Land rent collections are proceeding well, and there are only a very few leaseholders who are delinquent in that respect. In those cases the Trustees will, if necessary, resort to legal action to protect the interests of the community.

The financial report shows the town's finances are in good order.



The Assessors requested that the Trustees estimate expenses for the remainder of the fiscal year (March 23) at the January meeting. This would help the Assessors in their planning.

#### Advisory - Alton Dahl

In order to provide better organization for town meetings, the following procedures were recommended by the Advisory Committee to the Chairman of the Town Assembly. The purpose of the changes is to combine all elements of the discussion on a major agenda item to make it easier to understand issues in their entirety. This unified discussion is expected to improve and expedite the decision making process.

- All published agenda items will be discussed under old or new business as appropriate.
- Town committees will indicate during their reports at the beginning of the meeting that they plan to present information on the agenda item at the appropriate time, but will not include that discussion during their normal committee report.
- As each agenda item is brought to the floor, pertinent committee comments will be presented to begin the discussion.
- All correspondence to the town judged by the Chairman of the Town Assembly to be primarily concerned with an agenda item will be acknowledged at the beginning of the meeting, but will be read to the Town Assembly during the period for discussion of that agenda item immediately following the committee presentations.

#### Assessors - Bill Press

The Assessors have met and elected Bill Press Chairman, Harold Monfort Secretary. They have scheduled future meetings and will be ready to report at the June Assembly.

#### Audit - No report.

#### Budget - No report.

#### Buzz Ware Village Center - Elizabeth Varley Walker

The maintenance projects have been completed; Roofing over rooms 1 and 2, new tile in the hallway, repair of gutters, and painting the exterior of the building.

One international evening was held. It was hosted by Liz Broadbent and Finn Hannover and was a very pleasant evening although sparsely attended.

I will be making a motion under old business for approval of a Montessori Summer Camp.

The building reserve fund is approximately \$4,000.

#### Civic - Gail Rinehart

There have been several upheavals within the recent months that have required some fairly major adjustments on the part of the Civic Committee.

- Our Chairman, Ruth Panella, resigned in early December. Harold Monfort has agreed to complete Ruth's term until the March election. We wish to thank Ruth for her efforts and time. We wish to thank Harold for helping us out in a time of need.



●In place of Ruth I have volunteered to act as an interim chairperson until the first meeting of this committee after the March elections at which time a permanent chairperson will be selected.

●We also have lost the services of our primary contractor. Therefore some of our annual road and maintenance work around town has not been completed. We ask your indulgence on this until we get things restructured and operating.

In line with this effort I would like to approach a relative of one of our current members who has indicated that he may be interested in some of our work. Some people may see this as a possible conflict of interest. If there is this concern please see me privately.

We would greatly appreciate suggestions on possible contractors.

●We have had to re-let our snow plowing contract. Please call Joan Colgan or Gail Rinehart if you experience any problems or frustrations in this regard. We feel that the new contractor has done an excellent job to date.

●We are planning to erect sledding caution signs at the top and bottom of Pond Rd. as a reminder to townspeople and information to visitors. We intend to remove these signs off-season.

#### Community Planning - Cecelia Vore

The Committee has developed a plan for the pond area in the Memorial Garden. We will have a detailed proposal to present under Old Business.

We have begun a system for regular distribution of the Arden Book to new residents. Included in the book at present are an update of town ordinances, a list of the current committees, and a notice from the Civic Committee regarding right-of-way and snow removal. Work has begun on a new edition of the Arden Book. A call for corrections and suggestions was placed in the Arden Page this month and a planning meeting will be held Thursday, February 23, at 7:30 PM in the BWVC. The committee sees the revision of the Arden Book as its major task for the coming year.

As you may know, the Delaware Dept. of Transportation is currently considering a plan to widen Naamans Rd. from its present 2 lanes to a 5 lane road (2 lanes in each directions plus a central turning lane). A public meeting on the project was held Dec. 14 at Concord High School. Frank Akutowicz attended for our committee. Since this plan would have a long-term effect on Arden, the Community Planning Committee felt it was our responsibility to comment on the proposed construction. Unfortunately, the cut-off date for comment was January 15.

I discussed the matter at the Advisory Committee meeting on Jan. 9 and the consensus was that, because of the impending cut-off, we could comment as a committee before presenting our statement to this Assembly. After discussing the Dept. of Transportation's proposal, the Community Planning Committee reached a consensus statement which was sent to the Dept.'s Community Relations Section on Jan. 13. This letter is attached to my report and we welcome all comments and questions on it. The committee intends to send copies of this letter, along with the comments of this assembly, to Representative Gwynn Smith, Senator Myrna Bair, County Councilman Richard Cecil, and Chester Andruskevich of Beverly Woods, the leader of a citizen's group against the proposal.



The main points of the Community Planning Committee's letter, which is on file are:

- 1) The Dept. of Transportation's traffic counts show little growth of total traffic volume from 1970 to 1982. Consequently, there is little justification for the planned large increase in capacity of Naamans Rd. Further, the increased capacity will not relieve, but will actually induce a corresponding increase in traffic on all intersecting roads, including Harvey Rd. and Marsh Rd.
- 2) Flooding in Naamans Creek is dealt with by promising only a further drainage study. The drainage study will be without purpose since increased flooding in the Naamans Creek basin is assured.
- 3) The Environmental Assessment shows that the area served by Naamans Rd., including Arden, is mostly residential. The current "preferred" proposal favors commercial needs over residential needs.

It was noted that this branch of Naamans Creek has been marked by the State as a natural area that must be preserved.

#### Playground - Larry Walker

The Playground Committee held regularly scheduled inspections in September, October, and November. All equipment was found to be in safe condition.

Repair and painting of the hobby horses has been completed and they will be re-installed in early spring.

WMA has made a \$74 contribution toward the cost of root mulch material used under equipment on the Sherwood Green to help defray added expenses due to the heavy use of these areas.

#### Registration - Virginia Shaw

There are 392-eligible voters in Arden as of this date.

Because of the error in the November referendum (the chairman's address was omitted on the return envelopes), we have instituted a proof-reading policy for future mailings.

We hope to hold two more open houses for upper and lower Sherwood Rd. before the March meeting.

The Registration Committee appoints a reference officer to act as liaison with the State Reference Office. Virginia Shaw, our Reference Officer, has worked out a retention schedule to weed out irrelevant material from our town files and to send outdated material to the State Archives in Dover. We will be starting activity on this during the next month.

#### Safety - David Warner

This committee currently has only two active members as the chairman and two members have resigned.

What should we do about the free running dog problem which has escalated in town lately? Letting dogs run loose violates a County ordinance as well as an Arden ordinance. Calling the SPCA is fairly ineffective since it takes them some time to respond. This will be discussed under New Business.

A problem with young people gathering at the BWVC parking lot was reported. Several car windows have been broken. Incidents should be reported to the police, to Bert Passanante for Town Watch, and to the Safety Committee so they can keep track of recurring behavior patterns.

#### Town Watch Report - Pat Liberman

Since the end of October, 54 Arden residents have participated



in Town Watch and we're still signing up new volunteers for our mutual protection project. Most Ardenites seem eager to take a periodic watch, there have been very few refusals.

Through the cooperation of Jim Brooks, outgoing chairman of the Arden Safety Committee, funds were provided for updating equipment for a base station, which Bert Passanante has agreed to man again. He and Sam Starr consulted on the equipment needed. That has now been purchased or ordered and as soon as the weather mellows a bit, the base installation will be completed. We expect that to be in two or three weeks.

I am willing to continue scheduling the watches through April; after that, another volunteer scheduler will be needed. This is not an arduous job, now that there is an active card file, and we do believe that the added observant eyes of Town Watch teams are a deterrent to any would-be lawbreakers. I would be happy to talk with anyone considering volunteering for a few months' stint of scheduling.

### OLD BUSINESS

#### Memorial Garden Proposal - Cecelia Vore for Community Planning

The Community Planning Committee has observed this area over a period of time, many gardeners have contributed ideas, the Swim Gild has been cooperative, and Ed Rohrbach has developed five possible plans. Five criteria of judgement were used: beauty, ease of maintenance, drainage, mosquito control, and cost.

Plan 1) Plant water loving plants - a very natural solution.

Plan 2) Leave the area alone and let nature take its course.

Plan 3) Fill in the area and drain through a perforated pipe. Cover the pipe with sod and seed the area. Knock down the existing stone wall to allow the water to flow into the pond. Fix the drain and create a lily pond.

Plan 4) Fill the entire basin with porous material. Line the existing stream with rocks, build a new retaining wall, and seed the area. Estimated cost - \$2,600 for 300 cubic yards of crushed stone. This is the plan favored by the committee.

Plan 5) Plant the whole area with bamboo. Leave the wall to keep the bamboo from spreading.

#### Discussion:

- First we need to solve the problem of the backflush from the swimming pool. Chlorinated water will kill anything planted there. Will the Swim Gild connect to the sewer? Bob Pollock, Swim Gild Gildmaster, is investigating this solution.

- Meadow plants will require high maintenance until they are established.

- Plan 4 doesn't need 300 cubic yards of crushed stone - this plan should be much cheaper especially if we use fill available in Arden. We might use the Summer Youth Employment program for labor in this project.

- Why not dig a deep trench to solve the water problem? Because of the high level of the water table. We must either lower the water table or raise the land level if the area is to be dry enough to mow.

Moved that the Town Assembly approve the following plan for the pond area in the Memorial Garden and direct the Community



Planning Committee to gather estimated according to this plan.

The low stone wall now defining the area will be knocked down. The stone will be used to line the course of the existing stream and to construct a retaining wall to form a small pond near the existing dam. Except for this new, smaller pond, the area will be filled with porous material, covered with topsoil, and seeded with grass. The area will also be graded to lead water toward the new pond.

The Community Planning Committee will develop a detailed cost estimate and construction strategy for implementing this plan, including solutions to the drainage problems of effluent from the swimming pool and runoff from the Highway and the Gild Hall. This plan will be submitted to the Town Assembly for approval.

Proposed Amendment: That the motion include a satisfactory resolution of the chlorinated swimming pool water problem, before implementation.

•How shall we fund this project? Through the Civic Committee's present budget? Through a line item in the 1985 budget? Waiting for the next fiscal year will delay action.

•Any solution must be coordinated with the Civic Committee - that committee is responsible for upkeep.

Motion passed as amended - 28 aye, 3 nay.

Buzz Ware Center Committee Motion - Elizabeth Varley Walker

Moved that the Town Assembly grant the request of Wilmington Montessori Association for two weeks of summer camp. The dates are August 20-31, 1984.

If the town approves the request, we will be in contact with the Fair Committee to assure a smooth transition from camp to the Arden Fair. We will also set up a meeting between WMA and the Playground Committee to work out appropriate compensation.

Discussion:

•BWVC Committee must work with the Arden Fair Committee to ensure there are no fair set-up conflicts. The Club needs to erect a snow fence several days before the Fair and use the building for storage.

•The community should be compensated for playground use during this period. This compensation should be written into the contract.

•ACRA requests that the playground and building be available to Arden children only from June until September.

Consensus of the meeting was that we can approve the concept but need more details before approving the motion.

Motion tabled until the March Town Assembly.

Nominations for Standing Committees.

Nominees should attend Town Meetings and should be prepared to be active committee participants if elected. How about a meeting before the March Assembly to explain the duties of each committee? The Arden Book describes the committee duties but many people do not read it. The Community Planning Committee is actively distributing the Arden Book and talking with new residents.



It was suggested that the Advisory Committee appoint a nominating committee in future years to prepare the slate. It is awkward for people running for election to nominate their own opponents.

Registration Committee was urged to hold another block party before the next Town Assembly.

### Slate

Audit: Bill Bailey, Bill Bindloss, Alton Dahl, Finn Hannover, Mary Irons, Jim Schwaber  
 Budget: John Gray, John Hewlett, Lee Starr, Sally Thurston  
 Buzz Ware Village Center: Robert Jones, Patricia Jordan, Elizabeth Varley Walker, Susan Warner  
 Civic: Bill Bindloss, Richard Florshutz, Donald Holcomb, Harold Monfort, Jim Schwaber, Eugene Shaw, Paul Thompson  
 Community Planning: Bernard Brachman, Lanier Colgan, Sandra Hurlong, Edward Rohrbach, Mary Trench  
 Playground: Rowena Austin, Albert Marks, Edward Rohrbach, Larry Walker  
 Registration: Jean Brachman, Beatrice Jaffe, Connee McKinney, Helen Macklem, Virginia Shaw, Helen Vinson  
 Safety: Thomas Colgan, Warren Davis, Fred Smith, Elizabeth Varley Walker  
 Chairman of Town Assembly: William Press  
 Chairman of Advisory: Alton Dahl  
 Secretary of Town Assembly: Sarah S. Hamburger  
 Treasurer of Town Assembly: Rae Gerstine

### NEW BUSINESS

Moved that the Town Assembly Secretary send letters to our Senator and Representatives approving the Community Planning Committee's letter regarding the proposed widening of Naamans Rd. Motion passed unanimously.

### Dog Problems

Marauding stray dogs are again a problem in the village. Should the Trustees warn residents that the SPCA will be called? This is too mild a solution - by the time the SPCA arrives the dog has disappeared. We really need a dog catcher. Harold Monfort offered to duplicate and distribute a letter if the Trustees will write it.

Moved, seconded, and passed that the Trustees issue a letter stating that if residents do not abide by the New Castle County and Arden dog ordinances we will hire a dogcatcher. Offenders will be fined.

### GOOD AND WELFARE

Cecelia Vore called the Environmental Dept. and the Sewer Dept. about the sewage being discharged into Naamans Creek. The Environmental Dept. responded. Please contact Cecelia if you note sewage flowing in the creek.

Eleanor Bratten was thanked for supplying coffee for a cold January meeting.

*Sarah S. Hamburger*